

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: May 26, 2005

COUNCIL DISTRICT: Citywide
SNI AREAS: All

SUBJECT: A PROPOSED ORDINANCE AMENDING SECTION 20.100.140 OF AN ORDINANCE TO STREAMLINE CHAPTER 20.40, THE COMMERCIAL ZONING DISTRICTS CHAPTER, OF THE ZONING CODE AND TO REMOVE THE CP COMMERCIAL PEDESTRIAN DISTRICT USE SIZE RESTRICTION FOR THE WEST SAN CARLOS STREET NEIGHBORHOOD BUSINESS DISTRICT.

RECOMMENDATION

The Planning Commission voted 6-0-1 (Commissioner Pham absent) to recommend that the City Council adopt the proposed ordinance amending Title 20, the Zoning Code, of the San Jose Municipal Code to streamline the development standards of the commercial zoning districts chapter of the Zoning Code and to remove the CP Commercial Pedestrian district use size restriction for the West San Carlos Street Neighborhood Business District.

BACKGROUND

On May 25, 2005, the Planning Commission held a public hearing to consider the proposed Zoning Code amendment to streamline the development standards of the commercial zoning districts chapter of the Zoning Code and to remove the CP Commercial Pedestrian district use size restriction for the West San Carlos Street Neighborhood Business District.

At the hearing, staff briefly explained the proposed amendment.

No one spoke in favor of or in opposition to the proposed Ordinance amendment.

The public hearing was then closed.

Commissioner Zito asked if the West San Carlos Street Neighborhood Business District was the only place where the use size restriction would be removed. Commissioner Zito also asked if

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**SUBJECT: Title 20 amendment to streamline Chapter 20.40,
the Commercial Zoning Districts chapter of the Zoning Code.**

there were any other Neighborhood Business Districts with similar circumstances that might have the use size restriction removed in the future. Staff responded that the Story Road Neighborhood Business District is the most similar in terms of context, but is zoned CN Neighborhood Commercial, and the use size restrictions do not apply.

OUTCOMES

The proposed ordinance amendment would streamline the commercial development standards, and remove the use size restriction for parcels zoned CP Commercial Pedestrian in the West San Carlos Street Neighborhood Business District.

COORDINATION


Preparation of the proposed ordinance has been coordinated with the City Attorney's Office. Transmittal of the draft ordinance language is being sent by the City Attorney's Office under separate cover.

PUBLIC OUTREACH

On May 6, 2005, a hearing notice for the proposed ordinance change and for the hearings for the permanent ordinance change was sent to the San Jose Post-Record for publishing. As standard practice, staff posted the staff report and draft ordinance as well as the hearing dates on the Department's website.

CEQA

The proposed ordinance, PP05-100, was found exempt from CEQA per Section 15305.


STEPHEN M. HAASE, SECRETARY
Planning Commission

